Below A.P. Ajencies' No 570 dated the 12th July 1900.

No 5608

3-8-1900.

Returned with compliments.

2. The "Parwana" of 1263 Hijri (1847 A.D, confirms the Jarden at Belavatti hereditarily in the possession of Tabreyzkhan and it is expressly stated that his male & female heirs shall remain in the enjoyment of the said Jarden. In the agreement executed before Captain Stewart Gordon in 1859, the fact of this "Parwana" having been granted is confirmed and the Jarden at Belavatti is spoken of as continuable to Tabreyzkhan. It is clear that the "other property" of Lalkhatte Bibi does not include the Jarden - a copy of an office note by Mr (now Sir Andrew) Wingate is also attached herewith.

3. The above leads the Political Agent to think that the G.R. of 1894 No 6465 of 18th October was based founded on a misapprehension, when it states that the Jarden at Belavatti was continued merely to the father of the petitioner.

The Political Agent would, therefore, request

86/14

Mr. Westropp to have a correct & literal translation of the documents relied on by the petitioner Abdul Shamsoodin Khan & in his possession made & would ask the Assistant Political Agent to go into the matter carefully with the Diwan in the presence of Abdul Shamsudin Khan & submit a full report on the claim, within a month's time.

(sd) W. Doderel.
Political Agent.
Dharwar

No 5-85 of 1900
7th August 1900

— Forwarded to the Diwan of Savanur for preparing a careful translation of the documents relied on by the petitioner, and for a further report on the points raised by the Political Agent.

(sd) A. Westropp
Asst Political Agent.

No: 28 of 1901

Dec 1901.
12-1-1901

Returned with compliments.

2 The R.S. respectfully begs to submit herewith a translation of the 3 documents as per margin relied on by the petitioner.

1 Translation of the Paravana dated 27th Feb 1847
2 Do of the Yad dated 18th June 1853
3 Do agreement dated 1st July 1857

3 From the wording of the Paravana dated the 27th February 1847 issued by the Nawab Abdul Dalelkhan bile Jang Bahadur I it will be clearly seen that the instrument is a mere deed of gift and that it was not passed at the time of making any settlement of a family despute under it. Abdul Tabreez Khansaheb the present petitioner was to enjoy the state garden at Belvatte after the death of Lalkhatee

widow of Abdul Namunarkhansahib elder brother of the said Nawab Abdul Dalelkhan I. Lalkhatin enjoyed the garden until her death on 12th July 1891.

It is beyond all doubt that Abdul Tabreezkhan was not put in possession of the garden when the deed of gift was executed nor was the property in possession of the Nawab who issued the Parwana.

By the Mohemmadan Law immediate relinquishment of possession is necessary to make a gift valid and a gift by a person not in possession is null & void. Delivery & Seisin are the essence of a gift (vide Mohamed vs Ibrancherea 6 Bom 65 & Mehera vs Tajmoni 13 Bom 159.) Also a gift must not be dependent on any contingent; nor be referred to a future time. (Mohamdan vide Ebrahim Ali vs collector of Kaira 9, 138).

4 No doubt mention is made of the abovementioned Parwana in the agreement dated the 2nd July 1859 passed by the said Nawab Abdul Dalelkhan I in favor of Nilawarkhan (father of the petitioner) and Moulalikhan petitioner's uncle). But the w.s. thinks that the parties in whose favor the agreement was passed have not acquired any rights over the garden under the

terms of the agreement. Para 2 of the agreement runs as follow
in connection with the garden now in question.

" Lalkhatibeebee is now in enjoyment of a gar-
den at Belwatte. For this a parwana dated 11th Rabi
Lawal 1263 Hijri has been issued in favor of your
son Tabrez Khan. According to the terms of that
Parwana the garden will be continued. "

5. If the donation under the parwana of 1847 had been
valid its confirmation in a subsequent agreement
of 1859 would have been certainly useful. It has been
shown above that the gift is by all means null &
void moreover the land is a property of the state.

#6 The w.s. is unable to know to what particular
ruling of the Madras High court Sir A. Miriyalli refers
and can not therefore say what bearing the ruling has
on the question now under consideration and can
Justice therefore
unable to offer any comments thereon.

by perusal of G.R. (Poll dept.) No 18th Act. 1894,
that the w.s. respectfully begs to submit that under the
circumstances mentioned there may not be any materia

alteration in the orders of govt. beyond a certain change

of errors if the matter be again submitted to govt. in the G.H.

Diwan of Savanur

Savanur (A.) Mulki Jawab

S

From,

J. R. Middleton Acting Collector & Politica

Agent Zilla Dharwar.

To,

Meherbani Abdul Shamshodin Khansahe

Kirador Nawab Savanur.

I have the honor to acknowledge the receipt of your yad dated the 29th June 1883 requesting to be furnished with a copy of the final order for making ~~in connection~~ relating to the payments of ~~your~~ cash allowances according to the Inglai months which was passed on your application made some 3 years ago I have the honor to inform you that I have to state that ~~a reference was made to the Commissioner S. D., 5 to 20 D 3 May 1883~~ in reply to this office reference in connection with your former yad the Commissioner S. D. has directed in his No 20 D 3 May 1883 That the payments of allowances made according to English months since the 1st Jan 1881 should be calculated as if made according to Inglai months and that

one month's allowance should be paid excess
in consideration of the allowances for the period.

Accordingly orders have been issued to Rao Bahadur
Diwan in the Office B. Mulki awaksha 620 & 28 Aug 1883.

From what has been written above, the purport of
the orders issued from this Office will be known to you.

Dated 11 June 1887.

— The garden ~~situated~~ at Belvatti in the village which is (now) held by Asmatpanha Lalkhatir saheb sundry of Biradar virtuous Namuwarkhan deceased. ~~The said garden~~ is to lapse to the state on the death of the said Lalkhatir saheb. Now Abdul Latawarkhan saheb Biradar requests the Huzur that the garden be gifted to (his) son Tabreezkhan Barkhudar.

a term prefixed to the name of a member of one's own family such as son, son-in-law, nephew, a relation not of the same blood but a brother whose name birudar is prefixed.

The request of the said Biradar having been taken into consideration (The Record) Having being pleased to grant the request, after (On the death of the said) Asmatpanha This Parwana has been issued. Therefore the said Barkhudar (Tabreezkhan) will be in enjoyment of the said Barkhudar (T. Biradar will enjoy the said garden with his Awalad Awlad (children and their descendants to live). Without taking objection for a fresh Parwana every year, copy (of this) should be taken and the original Parwana should be handed over to the Barkhudar (Tabreezkhan). Be it understood that this Parwana has been granted given in this connection.

Parwana (from) the Government of the philanthrop

Nawab Abdul Subhan Sahib Jang Bahadur chief of

savanur.

To, Be it known to the ryots cultivating the garden (of) the village

(of) Belvatti — Sudhu Sun 1247

(Seal)

The Nawab Abdul Jalil Khan alias Jang Bahadur chief of Savanur is pleased to execute the following agreement in favor of Biradar Inchebar Abdul Lila warkhan & Barkhurdar Abdul Jamal Khan.

An agreement was executed between you & others and myself in 1256 Hijra whereby (you) were empowered to draw the cash allowances of the Mahal Kala & Mahal Khurd people and to make payments to them. But you having failed to obtain receipts (from the allowance holders) & to produce them (as agreed upon), your gave up the rights of drawing allowances of Mahal Kalla & Mahal Khurd people & making payments to them in perpetuity (Awlad Awlad). The bond of agreement in your favor referred to whereby Then executed by the relatives spoken of above to the effect your have been entitled to take that they should give a months allowances of them as well as the (exchange compensation) every year having been promised by you

I do hereby settle that you are entitled to Rs 1300 only & direct that of the allowances payable to the said two

Mahals, Rs 1100 in respect of your personal share of the allowances & Rs 200 in respect of Batta & one month's allowance of the Bhaubands. Accordingly the sum shall be paid to you, your children & their descendants in perpetuity every year (Avalad Awalad & Vanshparampara) from the treasury or if you like it a sanskar will be shall be made to pass a surety bond in your favor every year for the amount or if you wish to take it through the company's Government it shall be so paid & the receipt thereof signed by you & attested by witnesses shall be taken through the said government: If any of the terms of this agreement be not acted upon, the English Government may cause the sum to be paid as agreed upon and the lands mentioned in this agreement to be continued (enjoyment of it) remained.

The Bhaubands have no claims whatsoever to the said Rs 1300 & you have no claims whatsoever to the allowances of Bhaubands. No resolution shall be made in the said amount of Rs 1300 nor shall it be (altogether) discontinued. It shall be paid by me, my children & their descendants in perpetuity & the receipt thereof shall be taken. If no receipt is given for it

shall be stopped till it is submitted.

/ details of Lands, houses & backyards &c.

/ One field at Chillur Rs 34 acres & gunthas 10 & 11 13/16 and one house & a backyard including the mame & pits.

/ One field at Gabbur Rs 9 acres & gunthas 10 6 16 ~~11 & 1~~ 1 14 4/4 as.

/ } &c &c &c

/ One backyard in the neighbourhood of ~~adjoining~~ your house, ~~&c~~ near the gudi and a garden at Belvatti is/are in respect to the enjoyment of Lakhabi lucher. A Parwana said yard and garden dated 11th Rabilawal 1263 Hijri has been issued in the names of your son Fakrey Khan

~~As~~ In accordance with it the said garden & the backyard will be continued. Excepting this, you have no claims to the house & other property of the said Lakhabi. we are heirs thereto.

/ } &c ~~&c~~

This agreement has this been entered upon into in the presence of Mcherban Gordon saheb Balain Ist assistant collector zillah Dharwar. This 29th day of Jethad 1275 Hijri, Likharti sanvatsara Ashadha 1 shake 1781. Dated 1 July 1859 A.D. 1268 Fasli. In this Item are no corrections erasures & interlineations.

Below No 257 dated 27-3-1901 from A. P. A. Agent Dharwar asking to submit a detailed report on the points raised by Political Agent, with his opinion & asks to send a copy of the Govt. Resln.

Kharajadars

No: 200 of 1901

30 March 1901

Resubmitted to the A. P. agent with accompaniments.

2 The report of Rao Bahadur shevde deals at length with the points raised by the political agent. & I have little to add to it

~~On perusal of the papers connected with the subject~~ ~~the same fully endorses the opinion entertained by the~~ ~~late Sir~~ a ~~Mr~~ reference to page 202 of Macnaghten's principles & precedents of Mohemmodan Law ~~Book~~ will also show ~~the agent will be further communicated~~ that the gift of a thing not in the possession of the donor hence during his lifetime is null & void; and ~~that~~ the mention of the gift of the garden & Talavs in the agreement of 1855 would practically be of little significance.

Khan

3 A copy of the G. R. No 6465 of 18 Oct 1894 (Pol. Dept.) ~~called for~~ ~~together with copies~~

~~The City Commissioners address to the Press~~
is enclosed, as desired
~~are submitted herewith for favor of perusal.~~

~~Respectfully~~

W. D. Fitch

Mayor of Savannah

Below G. R. (Poll: Dept:-) No 6236 of 7th Oct 1895-

relating to the petition from Abdul Tabrezkhan

Wish requesting permission to the sale thereof

of savanur for the recovery of certain fields

situated at Belwatti in the Dharwar collectorate

No 7416 thereon

15 October 1895

Copy forwarded for information to the assistant

Poll: agent-

R. G. Hatgis,

Head clerk.

No 262 Dharwar.

21 October 1895

Forwarded to the Diwan of savanur for information

& return.

A. Lucas

A. P. A. savanur.

No 25 of 1895-96.

Savanur 25th October 1895.

Returned with Compliments.

I beg to state that a copy of the resolution

has been taken & placed on record

[illegible]

for Diwan of Savanur

Reply to No 548 dated 28th June 1901, from the Assistant Political Agent, Dharwar.

No 3838 of 1901.

Dharwar 31st July 1901.

Mr. Abdul Fatiehkhan should be informed that his petition to be put in possession of a garden which when in the possession of a 3rd party was made the subject of a deed of gift to him to him by the then Nawab and which was resumed by a former Nawab on the death of the lady in possession is refused.

2. All the papers are enclosed. The 3 pratharns referred to in the Diwan's No 295 of 10th July 1900 and other papers belonging to the Diwan's office should be retained and this correspondence returned for record.

(sd) M.C. Gibb
Political Agent, Dharwar.

No 664
2-8-1901.

Forwarded to the Diwan of Savanur for informing the applicant accordingly & return all the papers accompany.—

(sd) A.C. Wild
A.P. Agent.

No 531 of 1901.

20th August 1901.

Copy taken & returned with compliments to the A.C. Agent as desired.

The Yadidar has been informed.

The papers pertaining to this office have been retained.

O.C. Diwan Sarawan.

Under a. P. agents No 373 dated
12 July 1902

No 282 of 1902

15 July 1902

Returned with compliments
to the a. P. Agent with an
intimation that the a. P.
agents No 664 dated
2 August 1901 was returned
to him with this office No
531 dated 20 August 1901
but the papers ~~were~~ have
been filed in this office under
the orders ~~of the a. P. Agent~~
contained in the a. P. Agents
No 148 dated 4th Octr 1901.

The papers are herewith
forwarded for ~~disposal~~
disposal & ~~return~~ return
of return when done with.

R D Ashi
O. C. Dinn

Under a Pro. No 783 dated
10-12-02

No 581 of 1902
12-12-02

In reply I beg to report as follows:—

(1) Petitioner's branch of the family is in the enjoyment of the allowance of Rs 1300 per annum accompanying as detailed in the extract (marked A) from the Register No 1 of Khanzada's allowances payable at Bandar and Mahomedan calendar at pages 2 & 6 of the Printed Cash Book of the State.

(2) The monthly allowance of Rs 20-8-0 enjoyed by the late Lal Khatu Bibee being a life allowance was on her death in 12 Jan 189 resumed under the Nawab

Sahebi order No 392 Dt 23-2-1892

Petitioner has no claim whatever to this allowance as will be seen from the following extracts from the agreement made by his father Dilawarkhan & uncle Dowlatkhan with the Nawab Saheb on 2 July 1859 (Given at pp: 30 & 31 of the Printed case of alienation)

[illegible]

(3) It is not clear from the petition which lands in Chillur Pattan & Savanur the Petitioner alleges have been resumed by the late Nawab. The inam lands granted to petitioner's family in these villages are still in their enjoyment as will appear from the extracts from the Inam Registers of the villages herewith enclosed (Exhibits B, C & D). As regards Belvatti

Jarden, the Pol: Agent
last year declined to interfere with
the late Nawab Saheb's
order ~~[illegible]~~ directing
the resumption of the
Jardens & ~~[illegible]~~ the
P/P: were again submitted
with this office No 282
dated 15 Jan 1902, to
which a reference is
requested. A Copy
of the G. R. No 6465
D/ 18 Octr 1894 ~~[illegible]~~
it is presumed is among those
~~the Sunnad Jardens in the~~ enclosed
P/P: & is not traceable in the files
~~enclosed~~ as desired
of this Office.

O. C. D. Hall
Dicm

P. A's No. 5838 dated 31-8-1901 rec'd.
a. P. Agents No. ~~256~~ 664 d 2-8-01.

P. A's No. 4385 d 25-6-02
rec'd with A. P. A's No. 373 d 12-7-02

returned with this office No. 283 d 15-7

1811 + 15 — 17
1032 — 0 — 8

779 — 14 — 11

253 — 3 — 11 sept

779 — 14 — 11

15 — 10 sept

1032 — 0 — 8
43 — 15 — 10

988 — 0 — 10
721 — 2 — 8

266 — 14 — 2

83
183
11 — 1/2

277

No. 33 of 1888/89.

From,

The Nawabsaheb,

Savanur,

To,

The Acting Collector and Political Agent

Dharwar,

Savanur Nawabsaheb's Office,

12th of May 1889.

Sir,

I have the honor to request you to advise the below-mentioned ladies on the following subject.

In this state there is a Mahal at Savanur for Nawabs to dwell. Some part of the Mahal is occupied by lady ~~late~~ Shahajad Begumsaheb, a widow of my late uncle the Naiwab Abdul Khair Khansaheb Bilee Jang Bahadur and some by lady Hasan Bibi saheb, his other widow. These parts are large and [redacted] consequently the remaining part

has become inconvenient and unsuitable to me to dwell, because there is no sufficiently large cooking house, no bath room ~~and~~, no drawing room ~~at all~~ and no veraglies at all in it. Besides this there is no open ground adjoining the Mahal to get these buildings erected. For this and other minor reasons I am obliged to live in my Bangalow which is not also sufficiently convenient. I am thus in want of a convenient, suitable & Comfortable House. If the parts occupied by those ladies are joined to the remaining part of the Mahal, the whole Mahal will be convenient and suitable to me. As the ladies are childless they have been granted life cash allowances, the houses to by the state, on the death of their husband. On their deaths the whole of their estate both moveable & immoveable is to revert to the state.

If the ladies give up the houses [redacted] are

now living in I am willingly ready to provide them, for their lives, with the undermentioned houses belonging to the state and more convenient to them than those now taken up by them.

The house of Mahajid Khan sahel my late uncle (which is the state property and vacant) to Hasan Bibi sahel and the house of late Chamnalii sahel widow of my late grand-uncle the Nawab Abdul Munawar Khan sahel (which lately reverted to the state on her death) to Shahajad Begum sahel. These houses are very close to and more convenient than the ~~two~~ ones now taken up by the ladies. If I request the ladies to give up the houses they are now living in and to take up the ones abovementioned, I think they may perhaps refuse to do so. I therefore hope that you will kindly issue orders to those ladies advising them to give up the houses

now occupied by them and to take up the ones I am going to provide them with.

I have the honor to be,

Sir,

your sincere friend,

Nawab Saheb Sawanur,

Below A. P. Agents' No 1058 dated 29-11-1901 forwarding
the Acting Secretary to the Govt. of Bombay's letter No 8005 Poll.
department No 8005 dated 20-11-01 asking to deliver the
accompanying letter to the Shahazadi Begum for compliance
& return.

No 786 of 1901

1 December 1901

Returned with compliments to the Assistant
Political Agent.

2. The letter has been delivered to Shaha-
zada Begum widow of Abdul Khairkhan, late Nawab
of Savanur.

A Dalvi

of Diwan Savanur.

No 2977

Camp Dharwar

2 May 1902

Memo:

The Hon'ble presents compliments to Shahzad Begum Saheb of Savanur & in reply to her yad dated 18th March last has the honour to state that he regrets that he cannot officially recognize her as representing either the Minor Nawab of Savanur or the State of Savanur in a public capacity & that therefore it is not necessary that she should take the trouble of writing an address to H. M. the King. Her contents however is fully appreciated.

(sd) E. Tuson Owen
for P. Agent Dharwar

This may be filed

No 131 X 8:93 S. Reed

Camp Karjigi 9th March 1893.

The Assistant political Agent's letter X

subject- applications from the Nawab's relations.

Nos 275/617 dated 28th ultimo enclosed returned herewith the request that he will obtain and send me the Diwan's opinion on the various points raised in these applications.

X To be sent back to me

He will also be so good as to let me have any further remarks that he may think fit to make.

J. Fairlie Reed
Collector.

No 340 of 1893

Camp Hubli, 10th March 1893

Forwarded in original with accompaniments (applications from Nawab's relations) for opinion and report.

To be returned

A. R. Bones
Ag. assistant collr & Assistant Pol: agent

No 62 of 1892-93.

Savannah 20th April 93.

Returned with compliments.

A separate report with opinion is submitted herewith with reference to each application. The accompaniments are herewith returned.

Clerk
Board of Savannah.

No 63 of 1892-93

From,

The Diwan of Savanur

To,

The Assistant Political Agent

Savanur.

Savanur 20th April 1893

Sir,

With reference to the application from Ahemadbibi saheb received with your endorsement No. 340 of the 10th instant I have the honor of stating my views as follows:

Abdul Rouf Khan saheb & Abdul Karim Khan saheb sons of the Great Nawab Abdul Dikes- Khan saheb Dilesjang Bahadur were uterine brothers. The petitioner is a daughter of Abdul Rouf Khan and her husband is a son of Abdul

Karim Khan Saheb. It will thus be seen that they are doubly related. The disagreement existing between them may be owing to some slight cause. I beg therefore ~~my duty~~ to suggest that the Political Agent ~~should~~ will, out of mercy, advise them in writing to live together without further disputes. His admonition would undoubtedly carry great weight with them and a compromise will be easily brought about.

If either of them give no heed to the advice tendered, then, in my opinion, there will be no other way left to the applicant than to have recourse to Law courts either civil or criminal, because there is no instance of Political ~~Agents~~ Authorities having ever granted such a request as is now made by her.

I have the honor of being
Your most obedient servant
Diwan of Savanur

under a. P. agent's Ro 1001 d 1 11. 01

No: 736 of 1901

5. 11. 01.

Returned with compliments to the a. P. agent

Dharwar.

2 No casualities have taken place among the up to date

sardars mentioned in the accompanying list; but

the names of the following persons have been added

recently in pedinki i.e. rank

to the list of 2nd class sardars for ~~the~~ precedence

only.

1 Abdul Dalelkhan wd Abdul

Rouffkhansaheb Biradar Jawab savanur.

~~Dharwar~~

2 Abdul Hayaykhan wd Abdul

Hakimkhansaheb Biradar Jawab Savanur.

D. C.

Diwan of Savanur